IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE KURIAN JOSEPH

THURSDAY, THE 22ND NOVEMBER 2007 / 1ST AGRAHAYANA 1929

WP(C).No. 4267 of 2004(G)

PETITIONER:

C.M. JOHN, S/O. MATHAI, AGED 62 YEARS,
CHERUVILA PUTHENVEEDU, MANACODE,
CHANNAPETTA P.O., ANCHAL (VIA.) KOLLAM.

BY ADV. SRI.RAJU K.MATHEWS

RESPONDENTS:

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1. THE DEPUTY TAHASILDAR (R.R)
TALUK OFFICE, PATHANAPURAM, KOLLAM DISTRICT.

2. THE JOINT REGIOANL TRANSPORT OFFICER,
PUNALOOR, KOLLAM DISTRICT.

3. CHACKO, KANJIRAMVILA HOUSE,
MOONGOTTUMURIYIL, CHANAPETTA P.O.,
ANCHAL (VIA), KOLLAM DISTRICT.

BY ADV. SRI.P.PARAMESWARAN NAIR

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/11/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX IN W.P(C)4267/04

EXT.P1: A TRUE COPY OF THE AGREEMENT DT. 28.9.1996, BETWEEN THE PETITIONER AND THE THIRD RESPONDENT

EXT.P2: -DO- OF THE LETTER SUBMITTED BY THE PETITIONER TO THE 2ND RESPONDENTS

EXT.P3: -DO- OF THE NOTICE NO: kl2/b-1348/03 DT. 15.11.2003 OF THE 2ND RESPONDENT

EXT.P4: -DO- OF THE NOTICE NO: 1571/03-04 DT. 22.1.2004 OF THE 1ST RESPONDENT, UNDER SECTION 7 OF THE REVENUE RECOVERY ACT.

jj /TRUE COPY/

P.A. TO JUDGE

KURIAN JOSEPH, J.

W.P(C) No.4267 of 2004

Dated this the 22nd day of November, 2007

JUDGMENT

In the matter of collection of motor vehicle tax, the contention of the petitioner is that he had transferred the vehicle of the 3rd respondent with due intimation to the Department. There is already a direction by this court dated 12-2-2004 to proceed against the vehicle. It is made clear that only after working out the order as above and only if the tax is not recoverable from the 3rd respondent the petitioner shall be proceeded against.

The writ petition is disposed of as above.

(KURIAN JOSEPH, JUDGE)

ahg.

KURIAN JOSEPH, J.

W.P(C).No. 4267 of 2004

JUDGMENT

22nd November, 2007